REMARKS

Claims 1, 2, 6, 7, 9-12, and 15-52 remain pending in this application, all of which stand rejected. Based on the foregoing amendments and following remarks, entry of this amendment and reconsideration and allowance of this application is respectfully requested.

Claim Rejections-35 U.S.C. §112

Claims 1, 9, 12, 23, 25, 26, 46, 50, and 53 stand rejected under 35 U.S.C. §112 as being indefinite, because it is unclear whether the limitation(s) following the language "associated" are part of the claimed invention. While Applicant believes that there is nothing ambiguous about the term "associated," this language has been deleted from the claims.

Thus, Applicant believes that any indefiniteness in the claims has been cured, and as such, respectfully request withdrawal of the §112 rejections of claims 1, 9, 12, 23, 25, 26, 46, 50, and 53.

Claim Rejections-35 U.S.C. §102

Claims 1, 2, 6, 7, 9-12, and 15-52 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent 6,295,513 to Thackston ("Thackston"). Applicant respectfully traverses the rejections of these claims, since Thackston does not disclose each and every element recited in these claims.

In the office action, the Examiner was "unclear as to the applicant's point of the NICECAD server and 'non-simulating graphical user interfaces' does not conduct simulation, where the art clearly states that the NICECAD system incorporates EAS (engineering analysis and simulation) feature which is carried out in a virtual, collaborative and secure environment."

Applicant is not stating that the NICECAD system does not perform simulation. Rather, Applicant is stating that the entire simulation is performed at the NICECAD server, in which case,

the graphical user interfaces cannot be simulation engines and the NICECAD server does not provide or receive simulation output files to or from the graphical user interfaces (see last paragraph of page 16 of Amendment and Response). Indeed, Thackston states that the users access the simulation modules of the NICECAD server using browser pages and/or Java™ applets to reduce or eliminate the need for specialized hardware/software at the user stations (see col. 17, line 52 to col. 18, line 4). Thus, Thackston actually teaches away from using simulation engines in the user stations.

It should be noted that the fact that users may virtually "check" files in and out does not mean that the simulation output files are actually transmitted back and forth between the user stations and the NICECAD server. Rather, the checking in and out of files is virtual in nature, since the files remain at the NICECAD server, and are only checked in and out to the extent that they may or may not be accessed by other users when checked in or out. The fact that there is no specialized hardware or software on the user stations for performing the simulations makes clear that the simulation output files are not actually transmitted between the user stations and the NICECAD server. Thus, not only are the user stations disclosed in Thackston not simulation engines, no simulation output files are received by the NICECAD server from the user stations or provided to the user stations by the NICECAD server.

In addition, although Thackston states that EAS analysis can be alternatively performed using external processing modules, this does not suggest that such processing modules would be located on the user stations—especially after just stating that it is preferred that such processing modules not be located at the user stations. Rather, such external processing can, e.g., be performed by the owner of the NICECAD server, e.g., in another building, or by some third party that

specializes in EAS analysis. Any disclosure in Thackston that simulation processing is performed at the user stations is simply lacking, thereby negating any basis for anticipation.

Thus, Applicant submits that claims 1, 2, 6, 7, 9-12, and 15-52 are not anticipated by Thackston, and as such, respectfully request withdrawal of the §102 rejections of these claims.

Conclusion

Based on the foregoing, it is believed that, with entry of this amendment, all claims are now allowable and a Notice of Allowance is respectfully requested. If the Examiner has any questions or comments regarding this amendment, the Examiner is respectfully requested to contact the undersigned at (714) 830-0600.

Respectfully submitted,

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Dated: August 19, 2005   By: _____

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